

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

FRANK CIARAMELLA, LILLIAN VELAZQUEZ,  
ANNEMARIE WALKER, ANTONIO MARTIN,  
CHRISTOPHER RUSSO, MATTHEW ADINOLFI,  
JODY VIRTUOSO, YVONNE HAWKINS,  
BLANCA CORREAS, and BRENDA PERRY, on  
behalf of themselves and all others similarly situated,

Plaintiffs,

- against -

HOWARD ZUCKER, as Commissioner of the  
Department of Health,

Defendant.

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #:  
DATE FILED: 6/29/2020

No. 18 Civ. 6945

**RULE 502(d) ORDER**

WHEREAS, the parties jointly request that this Court issue an order, pursuant to Federal Rule of Evidence 502(d) and the Court's inherent authority, which will allow the parties in this action to conduct and respond to discovery without fear that inadvertent disclosure of privileged or protected information will automatically waive such privilege or protection in this or any other action or proceeding:

1. The inadvertent production of privileged or work-product protected documents, electronically stored information ("ESI") or other information is not a waiver of the privilege or protection from discovery in this case or in any other federal or state proceeding. This Order shall be interpreted to provide the maximum protection allowed by Federal Rule of Evidence 502(d).

2. The provisions of this Order apply whether the documents, ESI, or other information were accidentally produced or whether, upon further review, the producing party

reasonably determines that the documents, ESI, or other information were privileged or work-product protected.

3. Nothing contained herein is intended to or shall serve to limit a party's right to conduct a review of documents, ESI or other information (including metadata) for relevance, responsiveness and/or segregation of privileged and/or protected information before production.

Dated: June 16, 2020  
New York, New York

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*Attorneys for Plaintiffs*

Dated: June 16, 2020  
New York, New York

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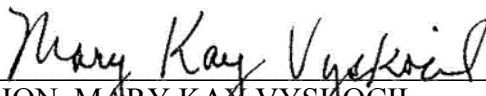
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<sup>1</sup> Defendant's counsel has provided written authorization for Plaintiffs' counsel to electronically sign proposed order.

**SO ORDERED.**

Dated: New York, New York  
June 29, 2020

  
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HON. MARY KAY VYSKOCIL  
United States District Judge